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Co-counsel for the Official Committee

of Asbestos Claimants

CHARTER OAK FINANCIAL

CONSULTANTS, LLC

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Financial Advisor for the Official Committee of

Asbestos Claimant

### UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

	· ·	
In re:	:	Chapter 1

DURO DYNE NATIONAL CORP., et al., 1 : Case No. 18-27963-MBK

:

Debtors. : (Jointly Administered)

#### SEVENTEENTH MONTHLY FEE STATEMENT OF CHARTER OAK FINANCIAL CONSULTANTS, LLC FOR THE PERIOD FROM APRIL 1, 2020, THROUGH APRIL 30, 2020

Charter Oak Financial Consultants, LLC, ("Charter Oak" or the "Applicant"), financial advisor for the Official Committee of Asbestos Claimants (the "Committee"), hereby submits this seventeenth monthly fee statement<sup>2</sup> for the period commencing April 1, 2020 through April 30, 2020 (the "Seventeenth Fee Statement") pursuant to the Administrative Fee Order Establishing Certain Procedures for Allowance of Interim Compensation and Reimbursement of Expenses of Professionals Retained by Order of this Court, dated December 18, 2018 (Docket No. 345) (the "Interim Compensation Order").

The "**Debtors**" in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are Duro Dyne National Corp. (4664), Duro Dyne Machinery Corp. (9699), Duro Dyne Corporation (3616), Duro Dyne West Corp. (5943), and Duro Dyne Midwest Corp. (4662).

<sup>&</sup>lt;sup>2</sup> Charter Oak's first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Charter Oak Financial Consultants, LLC for Allowance of Fees and Reimbursement of Expenses* on December 14, 2018 (Docket No. 338).

Pursuant to the Interim Compensation Order, responses to the Sixteenth Fee Statement, if any, are due by June 1, 2020.

Dated: May 22, 2020 By: /s/ James P. Sinclair

James P. Sinclair Senior Managing Director

Charter Oak Financial Consultants, LLC

430 Center Ave.

Mamaroneck, NY 10543 Telephone: (914) 372-1874 Facsimile: (914) 930-6867 jsinclair@charteroakfc.com

Financial Advisor for the Official Committee of Asbestos Claimants

### UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

#### D.N.J. LBR 2016-1, FEE APPLICATION COVER SHEET

Debtor: <u>Duro Dyne National Corp., et al.</u> Applicant: <u>Charter Oak Financial</u>

Consultants, LLC

Case No.: 18-27963 (MBK) Client: Official Committee of

Asbestos Claimants

Chapter: 11 Case Filed: September 7, 2018

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION UNDER PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746
RETENTION ORDER(S) ATTACHED AS EXHIBIT C

#### SEVENTEENTH MONTHLY FEE STATEMENT<sup>2</sup> OF CHARTER OAK FINANCIAL CONSULTANTS, LLC FOR THE PERIOD FROM APRIL 1, 2020, THROUGH APRIL 30, 2020

#### SECTION 1 FEE SUMMARY

	<b>FEES</b>	<b>EXPENSES</b>
TOTAL PREVIOUSLY REQUESTED	\$ <u>356,548.50</u>	\$ <u>466.45</u>
TOTAL ALLOWED TO DATE	\$303,682.50	<u>\$466.45</u>
TOTAL RETAINER (IF APPLICABLE) <sup>3</sup>	\$ <u>0.00</u>	\$ <u>0.00</u>
TOTAL HOLDBACK (IF APPLICABLE)	\$ <u>10,573.20</u>	\$ <u>0.00</u>
TOTAL RECEIVED BY APPLICANT	\$ <u>303,682.50</u>	\$ <u>466.45</u>
FEE TOTALS – PAGE 2	\$ <u>10,855.00</u>	
DISBURSEMENTS TOTALS – PAGE 3	\$ <u>0.00</u>	
TOTAL FEE APPLICATION	\$ <u>10,855.00</u>	
Minus 20% Holdback	\$ <u>2,171.00</u>	
AMOUNT SOUGHT AT THIS TIME	\$ <u>8,684.00</u>	

The "**Debtors**" in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are Duro Dyne National Corp. (4664), Duro Dyne Machinery Corp. (9699), Duro Dyne Corporation (3616), Duro Dyne West Corp. (5943), and Duro Dyne Midwest Corp. (4662).

<sup>&</sup>lt;sup>2</sup> Charter Oak's first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Charter Oak Financial Consultants, LLC for Allowance of Fees and Reimbursement of Expenses* on December 14, 2018 (Docket No. 338).

As disclosed in its Retention Application, Charter Oak held a retainer left over from prepetition services in the amount of \$38,291.00 (the "Retainer"). The Retainer has been applied to fees and expense requested and approved to date, and the Total Received By Applicant amount reflects the drawing down of the entire retainer amount of \$38,291.00 plus payment received from the Debtors in the amount of \$268,857.95.

NAME OF PROFESSIONAL &	YEARS			
TITLE	<b>EXPERIENCE</b>	HOURS	RATE	FEE
Gibbons H. Sinclair, Director	11+	16.70	\$650	\$10,855.00
TOTAL FEES		16.70		\$10,855.00
PROFESSIONAL BLENDED RATE			\$650	

#### SECTION II SUMMARY OF SERVICES

SERVICES RENDERED	HOURS	FEE
(f) Fee Applications	1.30	\$845.00
(m) Plan and Disclosure Statement	15.40	\$10,010.00
SERVICE TOTALS:	16.70	\$10,855.00

#### SECTION III SUMMARY OF DISBURSEMENTS

DISBURSEMENTS	AMOUNT
	\$0.00
DISBURSEMENTS TOTAL:	\$0.00

#### SECTION IV CASE HISTORY

(NOTE: Items 3 - 6 are not applicable to applications under 11 U.S.C. § 506)

- (1) DATE CASE FILED: September 7, 2018
- (2) CHAPTER UNDER WHICH CASE WAS COMMENCED: 11
- (3) DATE OF RETENTION: November 8, 2018, effective as of September 26, 2018 [Docket No. 258]. See Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
  - a) Charter Oak professionals developed a forecast of the financial performance of Debtor and analyzed certain scenarios to determine feasibility of Plan to reflect reason economic developments, and;

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b) Drafted a monthly and interim fee application.

- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:
  - (A) ADMINISTRATION EXPENSES: (unknown at this time)
  - (B) SECURED CREDITORS: (unknown at this time)
  - (C) PRIORITY CREDITORS: (unknown at this time)
  - (D) GENERAL UNSECURED CREDITORS: (unknown at this time)
- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITORS (IF APPLICABLE): Final disposition of case and dividend are unknown at this time.

I certify under penalty of perjury that the above is true.

Date: May 22, 2020 /s/ James P. Sinclair
Signature

# Exhibit A

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Charter Oak Financial Consultants, LLC - Duro Dyne Services Rendered during the Period April 1, 2020 through April 30, 2020 Exhibit A

Date	Staff	Description	Hours	2020 Rate	Amount
Fee/Employ	ment Δ	nnlications			
i cc/Lilipioyi	ment A	pplications			
20-Apr-20	GS	Draft monthly fee application (partial).	0.50	\$650.00	\$ 325.00
28-Apr-20	GS	Draft interim fee application (partial).	0.80	\$650.00	\$ 520.00
·		Total Fee/Employment Applications	1.30	_	\$ 845.00
Plan and Dis	sclosur	e Statement			
9-Apr-20	GS	Commence developing financial analysis of Duro Dyne.	0.80	\$650.00	\$ 520.00
9-Apr-20	GS	Review financial statements of Duro Dyne, Duro Dyne Canada and plan documents.	0.30	\$650.00	\$ 195.00
16-Apr-20	GS	Commence economic analysis.	0.50	\$650.00	\$ 325.00
20-Apr-20	GS	Review and analyze MORs of Debtor.	2.50	\$650.00	\$ 1,625.00
20-Apr-20	GS	Continue to review and analyze Debtors' financial statements, MORs and economic data.	3.40	\$650.00	\$ 2,210.00
21-Apr-20	GS	Review historical financial statements, MORs and economic data.	2.10	\$650.00	\$ 1,365.00
21-Apr-20	GS	Perform economic research and analysis and review plan documents.	1.80	\$650.00	\$ 1,170.00
21-Apr-20	GS	Review plan documents and revise scenario analysis; distribute.	0.50	\$650.00	\$ 325.00
25-Apr-20	GS	Review and revise scenario analysis; develop forecast.	1.30	\$650.00	\$ 845.00
26-Apr-20	GS	Review additional economic and industry data.	0.40	\$650.00	\$ 260.00
27-Apr-20	GS	Further review of economic and industry data.	1.30	\$650.00	\$ 845.00
28-Apr-20	GS	Continue to review economic data and historical financial data of Debtor.	0.50	\$650.00	\$ 325.00
		Total Plan and Disclosure Statement	15.40	_	\$ 10,010.00
		Total Professional Hours and Fees	16.70	_	\$ 10,855.00

### Exhibit B

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Charter Oak Financial Consultants, LLC - Duro Dyne Out-Of-Pocket Expenses Incurred During the Period April 1, 2020 through April 30, 2020 Exhibit B

Date	Staff	Description		Amount	
		No Expenses During This Period.	\$	-	
		Total Expenses During the Period April 1, 2020 through April 30, 2020	\$		

## **Exhibit C**

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UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1

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Proposed Local Counsel for the Official Committee of Asbestos Claimants Order Filed on November 26, 2018 by Clerk U.S. Bankruptcy Court District of New Jersey

### UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

In re: : Chapter 11

DURO DYNE NATIONAL CORP., et al., : Case No. 18-27963 (MBK)

Debtors.1 : (Jointly Administered)

ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF CHARTER OAK FINANCIAL CONSULTANTS, LLC AS THE COMMITTEE'S FINANCIAL ADVISOR, EFFECTIVE NUNC PRO TUNC AS OF OCTOBER 5, 2018

The relief set forth on the following pages, numbered two (2) through and including three (3), is hereby **ORDERED**.

DATED: November 26, 2018

Honorable Michael B. Kaplan United States Bankruptcy Judge Case 18-27963-MBK Doc 300 Filed 11/26/18 Entered 11/29/18 10:41:18 Desc Main Document Page 2 of 3

Page:

Duro Dyne National Corp., et al. Debtor:

Case No.: 18-27963 (MBK)

Order Authorizing the Employment and Retention of Charter Oak Financial Consultants, LLC as the Caption:

Committee's Financial Advisor, Effective Nunc Pro Tunc as of October 5, 2018

Before this Court is the Application of the Official Committee of Asbestos Claimants for

an Order Authorizing the Employment and Retention of Charter Oak Financial Consultants, LLC as the Committee's Financial Advisor, Effective Nunc Pro Tunc as of October 5, 2018 (the "Application"), which was filed by the Official Committee of Asbestos Claimants (the "Committee") on November 6, 2018. Based on the record herein, and after due deliberation thereon, this Court finds and concludes that (i) Charter Oak Financial Consultants, LLC ("Charter Oak") does not represent any entity having an interest adverse to the Committee or to the asbestos-related creditors of the Debtors' estates in connection with the matters for which the Committee proposes to employ Charter Oak; (ii) Charter Oak is a "disinterested person" pursuant to §§ 101(14) and 328(c) of the Bankruptcy Code; (iii) proper and adequate notice of the Application has been given and no other or further notice is necessary; and (iv) the Committee's employment and retention of Charter Oak as its financial advisor should be approved. Accordingly, IT IS HEREBY ORDERED, that:

- 1. The Application is granted and approved;
- 2. The Committee is authorized to employ and retain Charter Oak as its financial advisor on the terms set forth in the Application, pursuant to §§ 105(a), 328 and 1103 of the Bankruptcy Code, effective nunc pro tunc as of October 5, 2018;
- 3. Charter Oak shall be compensated in accordance with the procedures set forth in §§ 330 and 331 of the Bankruptcy Code, the applicable Federal Rules of Bankruptcy Procedure, the orders and rules of this Court, and such other procedures as may be fixed by order of this Court;

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Page:

Debtor: Duro Dyne National Corp., et al.

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Charter Oak Financial Consultants, LLC as the

Committee's Financial Advisor, Effective Nunc Pro Tunc as of October 5, 2018

4. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other

request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Application or otherwise waived;

- 5. This Order shall be immediately effective and enforceable upon its entry; and
- The Court shall retain jurisdiction with respect to all matters arising or related to the implementation of this order.